REMARKS

Claims 16-18, 23-40, 42, and 44-56 and 57-60 are pending in the application. By this Amendment, Claims 16, 23, 26, 38, 44, 48, 49 and 58 are amended, and Claim 25 is canceled.

The amendments to the application are fully supported by the application as originally filed, and do not add new matter to the application. With respect to Claims 16 and 38, see for example the originally filed specification at page 48, line 23 to page 49, line 23. With respect to Claims 44 and 48, see for example page 54, lines 5-18.

Applicant gratefully acknowledges the indication in the Office Action that Claims 27-37, 45-47 and 52-54 are allowed, and that Claims 58-60 contain allowable subject matter. Applicant notes that Claim 58 is amended to place it in independent form.

In the Office Action, the Examiner rejects Claims 16-18, 44, 48-51 and 55-57 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,550,575 to West, *et al.* (West). This rejection is respectfully traversed.

West fails to disclose or suggest means for presenting questions to a user which are related to the category labels, means for receiving answers to the questions presented to the user, *means for determining a psychological profile of the user based on the received answers, and means for assigning a value to each of the category labels based on the determined psychological profile*, as recited in Claim 16.

West likewise fails to disclose or suggest means for *automatically identifying said at least one user when the at least one user is in an area where the program is being presented, wherein said at least one user is identified via one of voice recognition, physical*

feature recognition or fingerprint recognition, as recited in Claim 44 and similar features recited in Claim 48. These features effectively cover a situation where, for example, a user with a permissive rating is viewing a program and another user (for example a younger sibling) having a less permissive rating wanders into the viewing area. Exemplary embodiments of the invention encompassed by Claims 44 and 48, can control presentation of the program to honor the least permissive rating of any individual within viewing range, thereby protecting individuals from inadvertently being exposed to inappropriate program material. West completely fails to disclose or suggest such operation.

In addition, West fails to disclose or suggest receiving at a user location information which is associated with an information label that specifies at least one aspect of the content of the information, *receiving at the user location a user's input enjoyment ratings for programs previously viewed by the user*, and storing information about the received information and the received enjoyment ratings in association with the identity of the user in response to the information label associated with the received information to compile a history of information use for the user, as recited in Claim 49.

For at least these reasons, withdrawal of the rejection of Claims 16-18, 44, 48-51 and 55-57 under 35 U.S.C. § 103(a) over West is respectfully requested.

In the Office Action, the Examiner rejects Claims 23-26 under 35 U.S.C. § 103(a) over West in view of U.S. Patent No. 5,758,259 to Lawler (Lawler). This rejection is respectfully traversed.

West and Lawler, when considered both separately and in combination, fail to disclose or suggest an apparatus including means for *inputting a signal which indicates the*

user's level of enjoyment of each program presented to the user, and means for storing the

at least one category label value for programs presented to the user and the user's indicated

levels of enjoyment of the programs to compile a viewing history for the user, as recited

in Claim 23. Withdrawal of the rejection of Claims 23-26 under 35 U.S.C. § 103(a) over

West in view of Lawler is respectfully requested.

In the Office Action, the Examiner rejects Claims 38-40 and 42 under 35 U.S.C. §

103(a) over West in view of U.S. Patent No. 5,172,111 to Olivo (Olivo). This rejection is

respectfully traversed.

West and Olivo, when considered both separately and in combination, fail to

disclose or suggest providing to a user a plurality of questions which are related to

category labels each identified by a standardized description of a particular type of

information content, receiving answers to the questions provided to the user, *determining a*

psychological profile of the user based on the received answers, and creating a local

information label based upon the determined psychological profile, as recited in Claim 38.

Withdrawal of the rejection of Claims 38-40 and 42 under 35 U.S.C. § 103(a) over West in

view of Olivo is respectfully requested.

Applicant respectfully submits that the application is in condition for allowance.

Favorable consideration on the merits and prompt allowance are respectfully requested. In

the event any questions arise regarding this communication or the application in general,

the Examiner is invited to contact Applicant's undersigned representative at the telephone

number listed below.

Respectfully submitted,

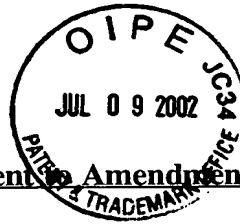BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: 09 July 2002

<u>Attachment to Amendment dated 09 July 2002</u>

Marked-up Claims 16, 23, 26, 38, 44, 48, 49 and 58

16. An apparatus for creating a local information label, the local information label comprising a plurality of category labels which identify categories of program content, the apparatus comprising:

    means for presenting questions to a user which are related to the category labels;

    means for receiving answers to the questions presented to the user;

    <u>means for determining a psychological profile of the user based on the received answers;</u>

    means for assigning a value to each of the category labels based on the [received answers] <u>determined psychological profile</u>; and

    means for forming the local information label based on the values assigned to each of the category labels.

23. An apparatus comprising:

    means for receiving at a user station a program which includes a program signal and a transmitted information label having at least one category label value which identifies a content of the program signal;

    means for storing an identification code of the user for each program presented to the user;

    <u>means for inputting a signal which indicates the user's level of enjoyment of each program presented to the user;</u> and

    means for storing the at least one category label value for programs presented to the user <u>and the user's indicated levels of enjoyment of the programs</u> to compile a viewing history for the user.

26. The apparatus of claim [25,] <u>23,</u> further comprising means for presenting to the user a menu of programs based on the input signal which indicates the user's level of enjoyment of a program.

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Marked-up Claims 16, 23, 26, 38, 44, 48, 49 and 58

38. In an information access system, a method for creating a local information label for use in controlling access to information which has associated therewith an information label related to the content of the information, the method comprising the steps of:

providing to a user a plurality of questions which are related to category labels each identified by a standardized description of a particular type of information content;

[prompting the user to input a value which is indicative of an amount of said information content into the information access system for each of the category labels] receiving answers to the questions provided to the user;

determining a psychological profile of the user based on the received answers;

creating a local information label based upon [each of the category labels in response to the input values] the determined psychological profile; and

receiving said information as frames of a signal and providing for prevention of access to a part of each frame which does not have information content which compares favorably with the local information label.

44. An apparatus for [selecting a local information label for] controlling presentation of a program to at least one user, comprising:

means for storing a local information label associated with said at least one user;

means for automatically identifying said at least one user when the at least one user is in an area where the program is being presented, wherein said at least one user is identified via one of voice recognition, physical feature recognition or fingerprint recognition; [and]

means for selecting said local information label associated with said at least one user based upon the identification of said at least one user; and

<u>**Attachment to Amendment dated 09 July 2002**</u>

Marked-up Claims 16, 23, 26, 38, 44, 48, 49 and 58

<u>means for altering presentation of the program based on the selected local</u> <u>information label</u>.

48. A method for [selecting a local information label for] <u>controlling presentation of</u> <u>a program to</u> at least one user comprising the steps of:

storing a local information label associated with said at least one user;

<u>automatically</u> identifying said at least one user <u>when the at least one user is</u> <u>in an area where the program is being presented,</u> based upon recognition of the voice, finger print or other physical feature of said at least one user; [and]

selecting a local information label based upon the identification of said at least one user<u>; and</u>

<u>altering presentation of the program based on the selected local information</u> <u>label</u>.

49. A method for compiling a history of information use for an individual user comprising the steps of:

receiving at a user location information which is associated with an information label that specifies at least one aspect of the content of the information; [and]

receiving at the user location a user's input enjoyment ratings for programs previously viewed by the user; and

storing information about the received information <u>and the received</u> <u>enjoyment ratings</u> in association with the [identify] <u>identity</u> of the user in response to the information label associated with the received information to compile a history of information use for the user.

<u>**Attachment to Amendment dated 09 July 2002**</u>

Marked-up Claims 16, 23, 26, 38, 44, 48, 49 and 58

58. [The apparatus of claim 16,] <u>An apparatus for creating a local information label, the local information label comprising a plurality of category labels which identify categories of program content, the apparatus comprising:</u>

<u>means for presenting questions to a user which are related to the category labels;</u>

<u>means for receiving answers to the questions presented to the user;</u>

<u>means for assigning a value to each of the category labels based on the received answers; and</u>

<u>means for forming the local information label based on the values assigned to each of the category labels;</u>

wherein the local information label is modified based on program context.